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10 Attorneys for Defendant Luxury Home Buyers, LLC

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 AXON ENTERPRISE, INC., a Delaware  
 14 Corporation,

15 Case Number: 2:20-cv-01344-JAD-VCF

16 **REQUEST TO EXEMPT DEFENDANT**  
**FROM ATTENDING SETTLEMENT**  
**CONFERENCE IN-PERSON, AND TO**  
**ATTEND THE SETTLEMENT**  
**CONFERENCE REMOTELY VIA**  
**VIDEO CONFERENCING**

17 Plaintiff,

18 vs.

19 LUXURY HOME BUYERS, LLC d/b/a  
 20 ACCREDITED FINANCIAL SERVICES, a  
 21 Nevada Limited Liability Company,

22 Defendant.

23 COMES NOW, Defendant LUXURY HOME BUYERS, LLC d/b/a ACCREDITED  
 24 FINANCIAL SERVICES (hereafter referred to “LHB”) and hereby requests that the  
 25 designated represented and sole owner of LHB, Jeff R. Wenger, be exempted from attending  
 26 the March 27, 2024 Settlement Conference (EFC No. 89) *in-person* in Courtroom 3C.

27 While Defendant LHB is a limited liability company formed under the laws of the  
 28 State of Nevada, its single owner and operator, Mr. Wenger, is a resident of the State of  
 29 Florida. Mr. Wenger’s health declined in the Fall of 2023 such that his primary care  
 30 physician and ENT specialist Thomas Magardino, M.D. authored a directive to Mr. Wenger  
 31 that he avoid traveling while he continues to experience vertigo because traveling causes an  
 32 exacerbation in his symptoms that include losing his balance and oftentimes injuring himself  
 33 in falls. (*See* Uyen Le, PA’s correspondence attached hereto as **Ex. 1**).

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1 Defendant therefore requests that his physical presence be waived as a requirement  
2 of the settlement conference. Specifically, good cause exists given his health issues that he  
3 be permitted to attend the settlement conference through alternative means. It is therefore  
4 requested that this Court permit him to attend the March 27, 2024 settlement conference via  
5 videoconference. His counsel will nonetheless attend in person.

6       Should this court wish for any further documentation to confirm Mr. Wenger's  
7       ailments, the same will be made readily available.

8 Dated this 20th day of February, 2024.

## MARQUIS AURBACH

By *s/ Jennifer L. Micheli*  
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*Attorney for Defendant Luxury Home  
Buyers, LLC*

**IT IS SO ORDERED** this motion is GRANTED. For good cause shown. No opposition filed. The defendant's counsel is responsible for joining Defendant's designee, Jeff. R. Wenger, to the Settlement Conference by telephone.

Maximiliano D. Couvillier III  
United States Magistrate Judge  
Dated: 3-12-24

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I electronically filed the foregoing **REQUEST TO EXEMPT**  
3 **DEFENDANT FROM ATTENDING SETTLEMENT CONFERENCE IN-PERSON,**  
4 **AND TO ATTEND THE SETTLEMENT CONFERENCE REMOTELY VIA VIDEO**  
5 **CONFERENCE** with the Clerk of the Court for the United States District Court by  
6 using the court's CM/ECF system on the 20th day of February, 2024.

7  I further certify that all participants in the case are registered CM/ECF users  
8 and that service will be accomplished by the CM/ECF system.

9  I further certify that some of the participants in the case are not registered  
10 CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage prepaid,  
11 or have dispatched it to a third-party commercial carrier for delivery within three calendar  
12 days to the following non-CM/ECF participants:

13 */s/ Lennie Fraga*  
14 \_\_\_\_\_  
15 an employee of Marquis Aurbach

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